

REMARKS/ARGUMENTS

The foregoing amendments and these remarks are responsive to the Office Action mailed September 16, 2005. The Examiner has rejected Applicants' claims over Sigler (US Patent No. 5,722,537) in view of Briggs et al. (US Patent No. 5,641,464).

Applicants' invention is directed to a decontamination device in which an absorbent pad containing a decontaminating compound is provided within a housing, and structure is provided for removably engaging the housing to a portion of the medical apparatus. The engagement is such as to prevent relative motion, such as in both the radial and axial directions, between the housing and the medical apparatus. The absorbent pad is placed into contact with portions of the medical apparatus upon engagement and removed from contact upon disengagement.

Briggs '464 discloses a stethoscope cleaning device and method in which a stethoscope head 27 is positioned in space 13 on drip plate 14. The stethoscope head 27 is not engaged relative to the housing 10, and therefore is capable of movement relative to the housing 10. The flexible resilient closeable X-shaped or iris-shaped diaphragm 60 includes a port 25. The flexibility of the diaphragm and the size of the port 25 as visible in Fig. 2 cannot engage the stethoscope against relative motion between the stethoscope and the housing of Briggs et al. The term "flexible" by definition requires yielding. A yielding structure cannot secure a device against motion. Indeed, the flexible diaphragm 60 is not so intended, but is identified by Briggs et al. exclusively for flexibly sealing around the medical device, in the nature of a drape, to prevent the egress of aerosol spray from cannister 15. Briggs et al., column 3, lines 29-36. Should the diaphragm 60 be of a sufficient rigidity that it would prevent relative motion between the housing and the medical apparatus, it would not flexibly seal around the tube 28 of stethoscope 58 as intended by Briggs et al. to guard against the egress of aerosol spray.

Sigler similarly does not disclose structure for engaging medical apparatus against motion relative to the housing. In fact, Sigler teaches no relative engagement between the pacifier or nipple and the disinfectant container at all, but rather the device is used to "dip the nipple inside the disinfectant-filled sponge 10, remove it and then replace lid 2 to prevent the liquid from drying out." Sigler, column 3, lines 62-65. There is no disclosure or suggestion whatsoever in Sigler of an engagement between the container 17 of Sigler and the nipple in a manner so as to prevent relative motion between same.

Applicants have amended claim 4 to delete the phrase "absorbant pad" and to clarify that the housing comprises a flexible portion to facilitate the removable engagement to the medical instrumentation. Reconsideration of the rejection of claim 4 under 35 U.S.C. § 112, second paragraph, is requested.

The references of record do not disclose or suggest a decontamination device which is capable of secure engagement to a medical apparatus in a manner to prevent relative motion between the housing of the decontamination device and the medical apparatus in both the radial and axial directions. All of the references of record teach devices in which at least motion in the axial direction of the stethoscope or nipple is readily possible. Accordingly, the invention permits the decontamination device to be carried with the medical apparatus in a manner not available with the references of record. Reconsideration and allowance of Applicants' claims is requested.

Dated: 11/16/05

Respectfully submitted,

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